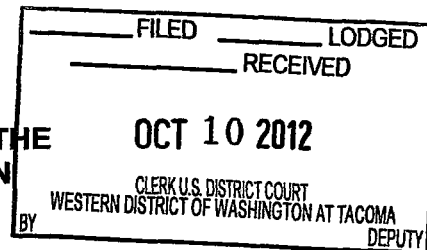


UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON



THEODORE RALPH LANDAKER

Plaintiff

CV 12 5898 RJB
Case No. _____

-v-

**Bishop, White, Marshall & Weibel, P.S.
Capital One Bank (USA), N.A.**

Defendants

COMPLAINT

Plaintiff, **Theodore Ralph Landaker**, individually, hereby sues Defendants,
Bishop, White, Marshall & Weibel, P.S & Capital One Bank (USA), N.A.

For violations of the (FDCPA)15 U.S.C. § 1692 e, Fair Debt Collection Practices Act
(FDCPA) & VIOLATION OF Fair Credit Reporting ACT (FCRA), 15 U.S.C. §1692

PRELIMINARY STATEMENT

1. This is an action for damages and injunctive relief brought by Plaintiff
against Defendant for violations of the Fair Debt Collection Practices Act
(FDCPA)15 U.S.C. § 1692 e, Fair Debt Collection Practices Act (FDCPA)
15 USC § 1692 e(2), Fair Debt Collection Practices Act (FDCPA) 15 USC
§ 1692 f, Fair Debt Collection Practices Act (FDCPA)15 U.S.C. § 1692
f(1) Upon belief and information,
VIOLATION OF Fair Credit Reporting ACT (FCRA), 15 U.S.C. §1692
§ 619. Obtaining information under false pretenses [15 U.S.C. § 1681q]

1. The Alleged account belongs to my Son Theodore Robert Landaker also known as Ted R Landaker & Theodore R Landaker. The court should require a signed Application & a Contract signed by the Plaintiff
2. Bishop, White, Marshall & Weibel, P.S & Capital One Bank (USA), N.A. has NO signed Application
3. Bishop, White, Marshall & Weibel, P.S & Capital One Bank (USA), N.A. Has NO Contract signed by Plaintiff
4. Bishop, White, Marshall & Weibel, P.S & Capital One Bank (USA), N.A. response to verification of Debt was with copies of Monthly statements
5. Any person who knowingly and willfully obtains information on a consumer from a consumer reporting agency under false pretenses shall be fined under title 18, United States Code, imprisoned for not more than 2 years, or both.

2. Defendants inquired with the Washington State Department of Licensing as to Registered Vehicles without Just cause, Judgment, Court Order
3. Plaintiff contends that the Defendants have violated such laws by repeatedly harassing Plaintiff in attempts to collect alleged but nonexistent debt.

JURISDICTION AND VENUE

4. Jurisdiction of this Court this is an action for damages which exceed \$5,000.00.

PARTIES

5. Plaintiff, Theodore Ralph Landaker, is a natural person and is a resident of the State of Washington.
6. Upon information and belief Defendant **Capital One Bank (USA), N.A.. & Bishop, White, Marshall & Weibel, P.S** authorized to do Business In Washington State

FACTUAL ALLEGATIONS

COUNT I

VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT (FDCPA), 15 U.S.C. §1692

**BY DEFENDANT Capital One Bank (USA), N.A. & Bishop,
White, Marshall & Weibel, P.S**

7. **Defendants were served by certified mail a Validation of Debt on or about July, 18th 2012**
8. **Defendants were served by certified mail second Validation of Debt on July, 23rd 2012**
9. **Defendants did not respond to first request Validation of Debt in a timely manner as required by Law**
10. **Defendants have responded to the second request Validation of Debt copies of Monthly Statements. Monthly statements does not meet the court standards & the defendants need to prove by Application & a Signed Valid contract**
11. **Defendants inquired a Credit Report from the three Credit Reporting Agencies without permission or purpose.**
12. **Plaintiff has no contractual obligation to pay Defendants.**
13. **Plaintiff is a consumer within the meaning of the FDCPA, 15 U.S.C. §1692a(3)**
15. **Defendants violated the FDCPA. Defendant's violations include, but are not limited to, the following:**
 - (a) **Defendants violated 15 U.S.C. §1692e(2) by falsely representing the character, amount, or legal status of any debt.**
 - (b) **Defendants violated 15 U.S.C. §1692f(1) by the collection of any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the debt or permitted by law.**
 - (c) **Defendants continued collection activity after receiving notice of dispute, and failed to provide written validation of debt before resuming collection activities, in violation of 15 U.S.C. §2042g(b).**

COUNT II

**VIOLATION OF Fair Credit Reporting ACT (FCRA), 15 U.S.C. §1692
BY DEFENDANT Capital One Bank (USA), N.A & Bishop, White,
Marshall & Weibel, P.S**

§ 619. Obtaining information under false pretenses [15 U.S.C. § 1681q]

6. Any person who knowingly and willfully obtains information on a consumer from a consumer reporting agency under false pretenses shall be fined under title 18, United States Code, imprisoned for not more than 2 years, or both.

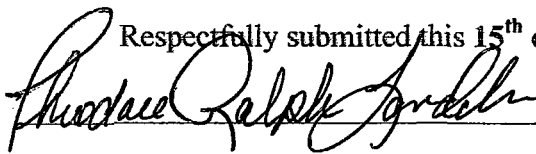
7. Has No Privity of Contract

WHEREFORE, Plaintiff demands judgment for damages against **Capital One Bank (USA), N.A. & Bishop, White, Marshall & Weibel, P.S** for actual or statutory damages, and punitive damages, attorney's fees and costs, in the amount of **\$ 50,000.00 Dollars**. **That the Defendants** Correct negative information or remove all negative information as to the Plaintiffs Credit reports from all Credit Reporting agencies.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all issues as triable as a matter of law.

Respectfully submitted this 15th of October, 2012



Theodore Ralph Landaker
2239 Summit Lake Shore Rd NW
Olympia, Washington 98502
Ph # 360-250-1787



Bishop, White, Marshall & Weibel, P.S.

ATTORNEYS AT LAW

July 12, 2012

CHANGE SERVICE REQUESTED

#BWNNVPP

THEODORE R LANDAKER and DOE I NNB70044
2239 SUMMIT LAKE SHORE RD NW
OLYMPIA, WA 985029490



Re: CAPITAL ONE BANK (USA), N.A. - THEODORE R LANDAKER and DOE I
Acct. No. xxxx-xxxx-xxxx-1613 Principal: \$3913.41 Interest prior to our firm receiving file:
\$199.42 for a Total Balance Owed: \$4,112.83

Note: Unless you dispute the validity of the debt or any portion thereof within thirty (30) days after receipt of this document, this office will assume this debt to be valid. If you notify this office in writing within the thirty (30) day period that the debt or any portion thereof is disputed, verification of the debt will be obtained and will be mailed to you. Upon your written request within thirty days, the name and address of the original creditor, will be provided to you if it is different from the current creditor. We are a debt collector. This communication is an attempt to collect a debt, and any information obtained will be used for that purpose.


Dear THEODORE R LANDAKER and DOE I:

Please be advised that this law firm represents the above creditor. Our client alleges that you owe the above-referenced balance. At this time, no decision has yet been made as to whether further action is appropriate. After reading the important notice above, if appropriate, please call our office to resolve this matter. If you agree that you owe this balance, but are unable to pay in full, and would like to make payment arrangements, you may call this office toll free at 877/259-1016. Ask for a Collections Representative at ext. 7503.

Ref# NAB

206-622-0354

Very truly yours,
BISHOP, WHITE, MARSHALL & WEIBEL, P.S.


[] Krista L. White WSBA 8612
[] Laurie K. Friedl WSBA 35598
[] Jeffrey S. Mackie WSBA 35829
[] Peter R. Osterman WSBA 27803
[] Marisa A. Bender WSBA 38191
[] Wendy L. Koch WSBA 39982

WILLIAM L. BISHOP, JR. **
KRISTAL L. WHITE **
ANN T. MARSHALL **
DAVID A. WEIBEL **
LAURIE K. FRIEDL *
ANNETTE E. COOK **
HALLIE N. ZIMMERMAN ****
BARBARA L. BOLLERO ****
JEFFREY S. MACKIE **
KENNARD M. GOODMAN **
JEROME M. YALON, JR. ****
THERESE S. HARRIS ****
PETER R. OSTERMAN ****
ROY T.J. STEGENA ****
MARISA A. BENDER *
WENDY L. KOCH *

* Also Admitted in Oregon
** Also Admitted in Idaho
*** Also Admitted in Alaska
**** Also Admitted in California
***** Admitted in Illinois

You are now able to make payments online using your VISA or Mastercard! To make a payment online, please follow the instructions below.



Bishop, White, Marshall & Weibel, P.S.

ATTORNEYS AT LAW

September 17, 2012

THEODORE R LANDAKER and DOE I
2239 SUMMIT LAKE SHORE RD NW
OLYMPIA, WA 985029490




Re: Capital One Bank (USA), N.A. assignee of HSBC Bank Nevada, N.A. - THEODORE R
LANDAKER and DOE I
Acct. No. ending in 1613

**WE ARE A DEBT COLLECTOR. THIS COMMUNICATION IS AN ATTEMPT TO COLLECT
A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

You have requested verification of the indebtedness owed to Capital One Bank (USA), N.A. assignee of
HSBC Bank Nevada, N.A.. Enclosed are the following documents.

1. STATEMENTS AND PAYMENTS
2. TERMS AND CONDITIONS

Very truly yours,
BISHOP, WHITE, MARSHALL & WEIBEL, P.S.


[] Krista L. White WSBA 8612
[] Laurie K. Friedl WSBA 35598
[x] Jeffrey S. Mackie WSBA 35829
[] Peter R. Osterman WSBA 27803
[] Marisa A. Bender WSBA 38191
[] Wendy L. Saunders WSBA 39982
Attorneys for Plaintiff

NNB70044 DEBT_VER

WILLIAM L. BISHOP, JR. **
KRISTA L. WHITE* **
ANN T. MARSHALL
DAVID A. WEIBEL
LAURIE K. FRIEDL
ANNETTE E. COOK
HALLIE N. ZIMMERMAN *****
BARBARA L. BOLLERO*****
JEFFREY S. MACKIE **
KENNARD M. GOODMAN
JEROME M. YALON, JR *****
THERESE S. HARRIS *****
PETER R. OSTERMAN *****
ROY T. J. STEGENA
MARISA A. BENDER *
WENDY L. SAUNDERS *

* Also Admitted in Oregon
** Also Admitted in Idaho
*** Also Admitted in Alaska
**** Also Admitted in California
***** Admitted in Illinois
***** Also Admitted in Illinois

THEODORE R LANDAKER

2239 Summit Lake Shore Road NW
Olympia, WA 98502

Phone: (360) 515-0154 | E-mail patrice77@aol.com

September 17, 2012

To: Jeffrey S. Mackie
Re: Collection Account

Dear Mr. Mackie.

I am writing to urge you to address this alleged account that is ruining my Credit with the 3 credit bureaus and need to proceed ASAP. You have been sent a letter and a debt Verification Letter on July, 16th 2012 by certified mail and signed for on July, 18th 2012 and another Verification of Debt on July, 18th by certified mail signed for on July, 23rd 2012. I have not received a response in the required time frame of the Law. You have also violated the FCRA by doing a Credit inquiry in which carries a \$1000 min fine.

May I remind you sir it is your responsibility to prove the debt not my responsibility to prove it's not? As I have stated in my initial communication with your office this Account belongs to my Son that carries the same name and he has been using my SSN # for the purpose of obtaining credit. It would save my time & money and the courts time should you address this issue. However I have drafted a Law suit and enclosed a copy for your reading as I am prepared to file this suit asking for damages to my name and credit.

It was my hopes that you would have filed your suit by this time. If I have not received a response from your office by October, 5th 2012 I will have no choice to file the suit and we can then proceed to the discovery stage of the Law Suit. I will use the requested verification of debt letters and all communications with your office as exhibits at trial should we need to proceed. Also a copy of Credit reports showing your inquiry and you inquiry as to the State of Washington.

I am a senior and do NOT need this account on my report, furthermore I have a HSBC/ Big Lots card & a Capital One Visa card that I have never been late or missed a payment. You should know this to be true after all your firm did an illegal credit inquiry. Do you really think I just chose to pick a card and not pay it? Your assistant stated that I should send in a copy of the police report. I send your office a copy of a Thurston county Sheriffs report and was told you do not have it or misplaced it. Well they charge for these reports and being that you're an Attorney you should have access to

**records. If you were to research my Son's Name
you would see the issues.**

**Sincerely,
Theodore R Landaker**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bishop, White, Marshall & Herpel P.S
ATTN: JEFFREY S. MACKIE
720 OLIVE WAY, SUITE 1201
SEATTLE, WA 98101-1801

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

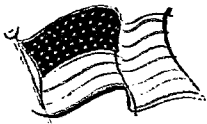
(Transfer from service label)

7011 2970 0003 5990 4690

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



THEODORE R LANDAKER
2239 Summit Lake Shore Road NW
Olympia, WA 98502

Phone: (360) 515-0154 | E-mail patrice77@aol.com

July 16, 2012

To: Jeffrey S. Mackie WSBA 27803
Bishop, White, Marshall & Weibel, P.S.
720 Olive Way, Suite 1201
Seattle, Washington 98101-1801

REF: Your correspondence purporting to allege a debt claimed by:
Capital One Bank (USA), N.A.

Alleged Account #: XXXXXXXXXXXX1613

Dear Mr. Mackie,

In response to your collection notice: I have been disputing this account for a very long time. This account belongs to my son with the same name Theodore Robert Landaker. I have asked for verification of debt with Household Bank, now Capital One Bank and the proof of application of said account to NO avail.

Furthermore if you were to look into the Thurston County Court records you would see that he has been prosecuted many times for applying for credit using my social security number. This has been an ongoing problem for many years and Household Bank AKA Capital One Bank refuses to address this problem. Even though I have a fraud alert on my credit file he seems to still get credit under my name.

I would welcome and be very satisfied if your firm would like to pursue a law suit so I could bring a counter claim for damages under the FCRA for damaging my good name and credit history. I have enclosed a Notice and Demand to Validate Debt Claim. Please respond and answer the questions as your refusal to do so will be used as evidence in any court proceedings.

Sincerely,

Theodore R Landaker

Theodore R Landaker
2239 Summit Lake Shore Rd NW
Olympia, WA 98502

Jeffrey S. Mackie
720 Olive Way Suite 1201
Seattle, WA 98101-1801

July, 16 2012

Re: Your solicitation dated July, 12 2012

Greetings:

This letter is in response to your "Solicitation-to-do-business-letter" dated 07/12/2012 (copy attached). I do not accept your offer to do business. Furthermore, I am also requesting that your company "CEASE & DESIST" calling me by telephone at my home phone number (360-515-0154) or my cell phone number (360-250-1787) and do not make any calls to my employer, my relatives, friends or neighbors concerning this matter.

You state in your solicitation letter that I owe money to you on an account. Your claim is disputed. Before I would entertain your offer to do business I need you to provide me with the following documentation to verify that I am responsible for the alleged debt, the validity of the alleged debt and also to verify that you have the legal standing to claim payment of the alleged debt that is disputed herein.

To the best of my knowledge the alleged debt you refer to is not my debt. I am disputing the entire balance as reflected on your most recent correspondence as well as the accuracy and validity of every transaction that makes up the alleged outstanding balance. Before I will entertain doing business with your company concerning this account I am demanding the following documentation from you:

- 1) Please provide me with a copy of the application form allegedly filled out and signed by me that was used to open the account that this alleged debt pertains to.
- 2) Please provide me with a list of the transactions that make up the alleged outstanding balance on the account along with copies of the authorization sales slips for all of these alleged transactions validating that these transactions are real transactions that were made with a merchant and that will show the signature(s) of the person who authorized all of the charges that make up the purported outstanding balance you are attempting to collect.
- 3) Please provide me with the name of the creditor to whom the alleged debt is owed and written proof that your company has been authorized by the owner of the account pertaining to this matter to contact me on their behalf to collect the alleged debt.

Until the above noted listed documentation is provided to me I refuse to do any business with your company and I cannot be construed to have "defaulted" on this account. Absent your providing me with the above listed documentation the remedy I seek is the complete removal of me from your records.

Your failure to satisfy this request will be construed as your absolute waiver of any and all claims against me, and your tacit agreement to compensate me for costs and attorney fees if you choose to pursue this matter in the courts. I expect your good faith reply to include all of the records and information identified herein, within 20 days. If you need more time to produce the requested items please notify me in writing. I await your written reply.

Please limit all future communication with me to writing only. If I receive any telephone calls from your company at any of the numbers noted in paragraph 1 of this letter, after receiving this letter, I will consider them to constitute harassment. Receipt of this letter is your acknowledgment that you and your employees agree to allow me to record the calls and any information obtained will be used against you in a court of law.

Best regards,

Theodore R Landaker

Attached: copy of your solicitation letter
Sent via Certified Mail: 7011 2970 0003 5990 4669

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BISHOP, WHITE, MARSHALL & WIDEL
ATTN: JEFFREY S. MACKIE
720 OLIVE WAY SUITE 1201
SEATTLE, WA 98102

A. Signature

X

☒ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7011 2970 0003 5990 4669

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

NOTICE AND DEMAND TO VALIDATE DEBT CLAIM

Date: July, 16 2012

VIA CERTIFIED MAIL: 7011 2970 0003 5990 4720

**From : Theodore R Landaker
2239 Summit Lake Shore Rd NW
Olympia, Washington 98502**

**To: Jeffrey S. Mackie WSBA 27803
Bishop, White, Marshall & Weibel,P.S
720 Olive Way, Suite 1201
Seattle, Washington 98101-1801**

**REF: Your correspondence purporting to allege a debt claimed by:
Capital One Bank (USA), N.A.**

Alleged Account #: XXXXXXXXXXXX1613

**This is an offer to fully pay/discharge the attached claim of debt on the condition
that the claiming parties comply with this notice within 30 days of receipt of this
correspondence.**

**NOTICE OF CLAIM DISPUTE
NOTICE TO AGENT IS NOTICE TO PRINCIPAL
NOTICE TO PRINCIPAL IS NOTICE TO AGENT
APPLICABLE TO ALL SUCCESSORS AND ASSIGNS**

*******SILENCE IS ACQUIESCENCE*******

**NOTICE AND DEMAND TO CEASE AND DESIST COLLECTION ACTIVITIES
PRIOR TO VALIDATION OF PURPORTED DEBT**

**Pursuant to the truth in lending laws of the United States Code, Title 15 § 1601 et.
seq. and the Fair Debt Collection Practices Act laws of the United States Code §
1692 et. seq.**

This notice constitutes a timely written response to your Fair Debt Collection Practices Act notice that you are attempting to collect an alleged debt and is not a dishonor of your alleged claim of debt.

This notice is my, required by law, demand to "cease and desist" collection activities prior to validation of purported debt and you must validate the enclosed claim of an alleged debt. You must provide verification that an actual debt really exists by producing the following:

- (1) The name and address of the organization or other governmental unit alleging a debt;**
- (2) The name and address of the person or persons in that organization or other governmental unit alleging a claim of a debt;**
- (3) The name of the actual creditor even if that is myself;**
- (4) The origin of the funds used to create this alleged claim of a debt**
- (5) The actual records of the organization or other government unit showing the time and place of the deposit and distribution of the funds used to create this alleged claim of debt.**
- (6) The actual records of the organization or other governmental unit showing that an actual loan was made from the organization or other governmental unit's own funds that resulted in the enclosed alleged claim of a debt.**
- (7) The actual records of the organization or other governmental unit with a live signature on any and all document/instrument(s) used to allege the existence of a real loan of funds or debt from the organization or other governmental unit to myself or anyone else by a similar name.**
- (8) Be advised that verification is defined (Black's Law Dictionary, 6th Edition) as follows: "Confirmation of correctness, truth, or authenticity, by affidavit, oath or deposition". Affidavit of truth of matter stated and object of verification is to assure good faith in averments or statements of party.**
- (9) The actual records of the organization or other governmental unit showing that an honest disclosure of facts relating to the alleged loan was made by the organization or other governmental unit in compliance with the truth in lending laws of the United States Code, Title 15 § 1601 et. seq. and Regulation Z.**
- (10) The actual records of the organization or other governmental unit showing that any and all document/instrument(s) containing my signature or the likeness of my signature were not negotiated or pledged by the organization or other**

governmental unit against my credit to create the funds used for the appearance of a debt and resulting in this alleged claim of debt.

- (11) The person that prepares and swears to the validation of debt must describe: 1) your job description on a daily basis; 2) if you are the regular keeper of those books and records and are familiar with how they are kept and their contents; 3) how long have you been in your position; 4) when did you first come in contact with the alleged account/debt; 5) how frequently do you work with the files and information they are presenting to verify/validate the alleged debt; 6) are you the person/employee who regularly works with the alleged account/debt; and 7) do you have personal knowledge about the alleged debt and/or any alleged account.

15 U.S.C. § 1692 (e) states that a "false, deceptive, and misleading representation in connection with the collection of an y debt." includes the false representation of the character or legal status of any debt and further makes a threat to take any action that cannot legally be taken a deceptive practice.

Pursuant to 15 U.S.C. § 1692 (g) (4) Validation of Debts, if you have evidence to validate your claim that the attached presentment does not constitute fraudulent misrepresentation and that one owes this alleged debt, this is a demand that, within 30 days, you provide such verification/validation and supporting evidence signed and certified under penalty of perjury to substantiate your claim. Until the requirements of the Fair Debt Collection Practices Act have been complied with and your claim is verified/validated, you have no consent to continue any collection activities.

This is a constructive notice that, absent the validation of your claim within 30 days, you must "cease and desist" any and all collection activity and are prohibited from contacting me through the mail, by telephone, in person, at my home, or at my work. You are further prohibited from contacting any other third party. Each and every attempted contact, in violation of this act, will constitute harassment and defamation of character and will subject your agency and/or attorney and any and all agents in his/her individual capacities, who take part in such harassment, and defamation, to a liability for actual damages, as well as statutory damages of up to \$1,000 for each and every violation, and a further liability for legal fees to be paid to any counsel which I may retain. Further, absent such validation of your claim, you are prohibited from filing any notice of lien and/or levy or judgment and are also barred from reporting any derogatory credit information to any credit reporting agency, regarding this disputed purported debt.

Further, pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 (g) (8), as you are merely an "agency" or other governmental unit of the United States, acting on someone else's behalf, this is a demand that you provide the name of the original "principal", or "holder in due course", for whom you are attempting to collect this alleged debt

Please take notice that this is a criminal investigation of the business practices of the above named organization or other governmental unit, its agents, officers, employees and attorney to determine violations of the United States criminal laws. Your enclosed claim of collection of a purported debt appears to be founded upon a false record in violation of U.S.C. Title 18 § 2071 and 2073 (falsifying records) and further; uttering and possessing false obligations and counterfeit securities based upon the falsified records in violation of U.S.C. Title 18 § 471, 472, 473 and/or 513, and further: using corrupt business practices to make and possess false records and claim of obligation, not substantiated by truthful facts in violation of the Federal Racketeer Influences and Corrupt Organization (RICO), U.S.C. Title 18 § 1961 et. seq. and further: using the U.S. Mail to present such fraud and false instruments amounting to Mail Fraud, criminal conduct falling under Title 18 U.S.C. § 1341 – Frauds and Swindles laws, and further sending mail with false and fictitious names, a criminal conduct falling under Title 18 U.S.C. § 1842 – Fictitious Names.

TAKE NOTICE

Debt Collector's failure in providing Respondent with the requisite verification, validating the above referenced alleged debt within the requirements of law as codified in the Fair Debt Collection Practices Act, Fair Credit Reporting Act and the corresponding laws of each state, signifies that Debt Collector tacitly agrees that:

- a. Debt Collector has no lawful, bona fide, verified claim, re the above-referenced alleged account:**
- b. Debt Collector waives any and all claims against Respondent and**
- c. Debt Collector tacitly agrees that Debt Collector will compensate Respondent for all costs, fees and expenses incurred in defending against this and any and all continued collection attempts, re the above-referenced alleged account.**
- d. Failure of Debt Collector to properly and legally verify/validate alleged debt as required in this notice is a self executing irrevocable power of attorney authorizing Respondent/Alleged Debtor named herein to direct the permanent removal, on behalf of the alleged Creditor, of any and all references to said account in any and all credit reporting agency files of any type.**

This response will constitute my effort to resolve this on-going debt claim between the parties involved. Until full disclosure is achieved, there can be no case, collection or action. "No civil or criminal cause of action can arise lest, out of fraud, there be a valid, honest contract." See Eads v. Marks 249 P. 2d 257, 260.

Done this 16 Day of July 2012

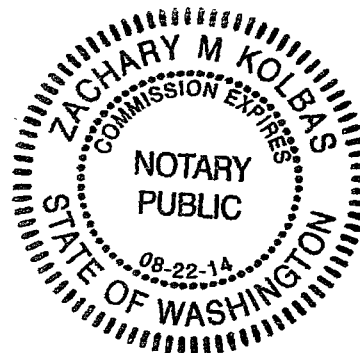
I declare under penalties of perjury in accordance with the laws of the United States of America Title 28 U.S.C. § 1746(1) the forgoing is true and correct and is admitted when not rebutted, so help me.


Theodore R Landaker

On the 16th day of July 2012 Theodore R Landaker personally appeared before me in Thurston County, Washington and placed his signature above.


Notary Signature

Seal:



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>— Attach this card to the back of the mailpiece.</p>		<p>A. Signature <u>7/13/12</u> PM 3:12</p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>7/13/12</u></p> <p>C. Date of Delivery <u>7/13/12</u></p>	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bishop, WHITE, MARSHALL & NEECE P.S
ATTN: JEFFREY S MACKIE
720 OLIVE WAY
SEATTLE, WA 98101-1801

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

D. Is delivery address different from item 1?

If YES, enter delivery address below:

C. Date of Delivery

☐ Agent☐ Addressee☐ Yes☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7011 2970 0003 5990 4720

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Union

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Credit Reports

July 17, 2012



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OFFERS FOR YOU

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PERSONAL INFORMATION ?**CREDIT REPORTING AGENCY:**

Union

experian

EQUIFAX

CREDIT REPORT DATE: 07/17/2012

07/17/2012

07/17/2012

NAME:

THEODORE R. LANDAKER

THEODORE R.
LANDAKERTHEODORE RALPH
LANDAKER**ALSO KNOWN AS:**

TED R. LANDAKER

TED R. LANDAKER

LANDAKER, THEODORE, RALPH THEODORE THEODORE

DATE OF BIRTH:

07/1955

1955

07/1955

CURRENT ADDRESS:2239 NW SUMMIT LAKE
SHORE RD
OLYMPIA, WA 98502
10/01/20012239 SUMMIT LAKE
SHORE RD NW
OLYMPIA, WA 98502-9490
08/20032239 SUMMIT LAKE
SHORE RD NW
OLYMPIA, WA 98502
07/2012**PREVIOUS ADDRESS:**13730 S 56TH AV #C202
TUKWILA, WA 98168
07/02/2010708 OAKPOINT CIR
DAVENPORT, FL
33837-8692
08/2011708 OAKPOINT CIR
DAVENPORT, FL 33837
06/2012708 OAKPOINT CI
DAVENPORT, FL 33837410 E JERSEY ST
ORLANDO, FL 32806-4532
06/2011410 E JERSEY ST
ORLANDO, FL 32806
04/2012**EMPLOYER:**OLEE CONSULTING
05/31/2012O LEE CONSULTING
06/2012OLEE CONSULTING
LEGAL**PREVIOUS EMPLOYER:**SKIPPER'S
03/1985

J&MSTEEL

INTERIORS UNLIMITED

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See if you're
pre-qualified for
credit card offers.

Capital One

Consumer Statement

TransUnion: NONE

[See if you're pre-qualified for credit card offers from Capital One®](#)**SUMMARY ?**

	TransUnion	Experian	Equifax
TOTAL ACCOUNTS:	29	21	28
OPEN ACCOUNTS:	20	16	20

Date Opened: 11/2009
 Date Reported: 01/2010

Remarks:

[TransUnion]
 [Experian]
 [Equifax] Medical
 Subject has not satisfied debt.

	TransUnion	Experian	Equifax
Creditor Name:			
Account No.:			7885**
Original Creditor:			
Responsibility:			Individual
Condition:			Paid
Original Balance:			\$164
Balance:			\$0
Date Opened:			06/2008
Date Reported:			05/2009

Remarks:

[TransUnion]
 [Experian]
 [Equifax] Medical

Refinance at 3.25% FIXED! Or 200k mortgage for \$933 a month (3.5apr)

PUBLIC INFORMATION

?

Bankruptcy

Dispute

	TransUnion	Experian	Equifax
Type:	Chapter 7 Bankruptcy	Chapter 7 Bankruptcy	Chapter 7 Bankruptcy
Status:	Discharged	Discharged	Discharged
Date Filed/Reported:	03/11/2005	03/11/2005	03/2005
How Filed:	Individual	Individual	Individual
Reference #:	542143	0542143PHB	0542143-DSP-06/05
Closing Date:	06/22/2005	06/22/2005	
Court:	Federal District	US BKPT CT WA TACOMA	Federal Government
Liability:	\$0	\$0	
Exempt Amount:			
Asset Amount:	\$0	\$0	

Remarks:

[TransUnion]
 [Experian]
 [Equifax]

INQUIRIES

?

Creditor Name	Date of Inquiry	Credit Bureau
BISHOP WHITE	07/10/2012	TransUnion
US BANK CONSOLIDATED	06/04/2012	Experian
SANTANDER CONSUMER USA	06/01/2012	Experian
AMERICREDI	06/01/2012	Equifax
GESA CRUN	06/01/2012	Equifax
GESA CREDIT	06/01/2012	TransUnion



STATE OF WASHINGTON
 DEPARTMENT OF LICENSING
 PO Box 2957 Olympia, Washington 98507-2957

July 12, 2012

LANDAKER, THEODORE
 2239 SUMMIT LAKE SHORE RD NW
 OLYMPIA WA 98502-9490

VEHICLE/VESSEL RECORD DISCLOSURE NOTIFICATION

The purpose of this letter is to notify you that your vehicle or vessel registration information has been provided to the business listed below. We do not have any additional information about this inquiry. If you have questions, please contact the business directly.

Requester's Name BISHOP, WHITE, MARSHALL & WEIBEL PS	
Address 720 OLIVE WAY SUITE 1301 SEATTLE WA 98101	
ATTN: DANIELLE MOON	
Date Information was Provided July 11, 2012	Phone Number (including area code) (206) 622-5306
Information was Provided By Department of Licensing	
Vehicle plate or vessel WN registration number: 766YDR	Vehicle (VIN) or vessel (HIN) identification number: 1NXBU40E29Z119010

References: RCW 46.12.635 and WAC 308.93.087 (9)

*We are committed to providing equal access to our services.
 If you need accommodation, please call 360-359-4001 or TTY 360-664-0116.*



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
 PO Box 2957 Olympia, Washington 98507-2957

July 12, 2012

LANDAKER, THEODORE RALPH
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Address 720 OLIVE WAY SUITE 1301 SEATTLE WA 98101	
ATTN: DANIELLE MOON	
Date Information was Provided July 11, 2012	Phone Number (including area code) (206) 622-5306
Information was Provided By Department of Licensing	
Vehicle plate or vessel WN registration number: 491XRJ	Vehicle (VIN) or vessel (HIN) identification number: JT3VN39W9S0206540

References: RCW 46.12.635 and WAC 308.93.087 (9)

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 If you need accommodation, please call 360-359-4001 or TTY 360-664-0116.*



Wells Fargo Bank N.A.
P.O. Box 14579
Des Moines, IA 50306-3579

08/28/2012

3074

THEODORE LANDAKER
2239 SUMMIT LAKE SHORE RD NW
OLYMPIA, WA 98502

RE: Unable to approve your credit card application
Application Number: 84136090

Dear THEODORE LANDAKER

Thank you for your interest in a *Wells Fargo* credit card account. Your request for a credit card was carefully considered and unfortunately we are unable to approve your application at this time for the following reason(s):

Serious delinquency and public record or collection filed
Time since delinquency is too recent or unknown
Proportion of revolving balances to revolving credit limit is too high

Your application was processed by a credit scoring system that assigns a numerical value to the various information we consider in evaluating an application. Those numerical values are based upon the results of analysis of repayment histories of large numbers of customers. Your application was declined, in part, because the information you provided in your application as well as information from your credit report did not score a sufficient number of points for your approval.

Our credit decision was based in whole or in part on information obtained in a report from the consumer reporting agency listed below. The agency listed did not make this decision and is unable to provide you the specific reasons why this action was taken.

TransUnion
2 Baldwin Place
PO Box 1000
Chester PA 19022-1000
800-888-4213
www.transunion.com/myoptions

You have a right under the Fair Credit Reporting Act to know the information contained in your credit file at the consumer reporting agency. ~~It can be obtained by contacting the agency. You have the right to a free copy of your report from the reporting agency if you request it no later than 60 days after you receive this notice.~~ In addition, if you find any information contained in the report inaccurate or incomplete, you have the right to dispute the matter with the reporting agency. Contact the agency directly with questions regarding the information contained in your report.

If you have questions, please call us at 1-800-967-9521 Monday through Friday 7:00 a.m. to 9:00 p.m. or Saturday 10:30 a.m. to 7:00 p.m. Central Time. You may also write to us at the return address listed above.

Thank you for your interest in Wells Fargo.

Credit Originations Group

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Comptroller of the Currency, Customer Assistance Group, 1301